Pending cases of road accident victims

2745. SHRI KUSHOK THIKSEY: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether it is a fact that a large number of petitions filed by the various State Governments' Transport Authorities pertaining to the road accident victims whose cases have been decided by lower courts on merit basis have been lying pending in different High Courts for a long time;

(b) whether Government propose to issue categorical directions to the High Court to dispose of these cases within the shortest possible time in order to mitigate the enormous hardships being faced by the road accident victims; and

(c) if so, details in this regard?

THE MINISTER OF LAW AND JUSTICE (SHRI K. JANA KRISHNAMURTHY): (a) Yes, Sir.

(b) and (c) Disposal of cases by courts is the substantive function of the Judiciary and the Government cannot and does not intervene in the matter.

Pending cases of bouncing of cheques in various courts

2746. SHRI P.K. MAHESHWARI: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether a large number of cases relating to bouncing of cheques are pending for disposal in various courts in the country;

(b) if so, the details thereof, State-wise;

(c) whether Government propose to amend Section 138 of Negotiable Instruments Act to deal sternly with this growing menace; and

(d) if so, by when this Section is likely to be amended?

THE MINISTER OF LAW AND JUSTICE (SHRI K. JANA KRISHNAMURTHY): (a) and (b) Yes, Sir. A Statement of pending cases on the basis of available information as in October, 2001, State-wise is enclosed (*See* below).

(c) and (d) Based on the recommendations of the various committees including the Parliamentary Standing Committee on Finance,

representations from various institutions and organisations, Government has decided to amend the Negotiable Instruments Act, 1881. The Negotiable Instruments (Amendment and Miscellaneous Provisions) Bill, 2002 has been introduced in the Lok Sabha to bring out, *inter-alia*, the following amendments:—

(i) to increase the punishment as prescribed under Section 138 of the Act from one year to two years;

(ii) to increase the period for issue of notice by the payee to the drawer from 15 days to 30 days;

(iii) to provide discretion to the court to waive the period of one month, which has been prescribed for taking cognizance of the case under the Act;

(iv) to prescribe procedure for dispensing with preliminary evidence of the complainant;

(v) to prescribe procedure for servicing of summons to the accused or witness by the court through speed post or empanelled private couriers;

(vi) to provide for summary trial of the cases under the Act with a view to speeding up disposal of cases; and

(vii) to make the offences under the Act compoundable.

Department of Justice is executing a pilot project which, *inter-alia*, will introduce on an experimental basis the facility of electronic filing of complaints in courts in Delhi in bounced cheque cases in order to facilitate access to courts.

However, it is not feasible to indicate the time by when Section 138 of the Negotiable Instruments Act is likely to be amended.

Statement

State-wise number of pending cases

Sl.No.	Name of the State	Number of Cases
1.	Punjab	138
2.	Delhi	5417
3.	West Bengal	745

Sl.No.	Name of the State	Number of Cases
4.	Tamil Nadu	2320
5.	Uttaranchal	2
6.	Madhya Pradesh	13
7.	Chhattisgarh	0
8.	Andhra Pradesh	1254
9.	Gujarat	48
10.	Orissa	0
11.	Jammu & Kashmir	2
12.	Karnataka	1260
13.	Maharashtra	1789
14.	Uttar Pradesh	7
15.	Bihar	3
16.	Jharkhand	0
17.	Rajasthan	51
18.	Kerala	7
19.	Himachal Pradesh	1
20.	Haryana	4
21.	Goa	1
	TOTAL:	13062

Pending cases regarding payment of income tax and excise duties

2747. MISS MABEL REBELLO: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether it is a fact that pendency of disputes regarding payment of income tax and excise duties by many companies in appellate fora has caused large amount of outstanding dues;